

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:)	Chapter 11
)	
FORD CITY CONDOMINIUM ASSOCIATION,)	No. 21-B-05193
)	
Debtor.)	Judge Deborah L. Thorne

RESPONSE OF FORD CITY REALTY LLC, FORD CITY CH LLC, AND FORD CITY NASSIM LLC TO OBJECTION OT CLAIM 4-1 OF FIRD CITY REALTY LLC, FORD CITY CH LLC AND FORD CITY NASSIM LLC AND TO THE MOTION FOR ALLOWANCE AND PAYMENT OF ADMINISTRATIVE CLAIM [DOC 286]

Ford City Realty LLC, Ford City CH LLC, and Ford City Nassim LLC (collectively, “**Ford City Realty**”), by and through their undersigned counsel, file this response (the “Response”) to the *Objection to Claim 4-1 of Ford City Realty LLC, Ford City CH LLC and Ford City Nassim LLC and to the Motion for Allowance and Payment of Administrative Claim [Doc 286]* [Docket No. 392] (the “**Claim Objection**”), and respectfully state as follows:

Preliminary Statement¹

Ford City Realty is owed over \$2 million due to unpaid water provided to the Ford City Condominium both before and after the Petition Date. Ford City Realty filed its Claim and the Administrative Claim Motion seeking allowance of its Claim. The long history of the Ford City Condominium not paying for water provided by Ford City Realty is well documented and has been the subject of many contested matters both in this Court and others. It cannot reasonably be disputed that Ford City Realty is owed moneys for water provided, and that any water provided satisfies the administrative claim standard set forth in 11 U.S.C. § 503(b).

¹ Capitalized terms used not but defined in this Preliminary Statement shall have the meanings ascribed to such terms in the Claim Objection.

Ford City Realty has provided documents and Invoices to the Subchapter V Trustee, which Invoices show, among other things, and in each case during the Relevant Period, (i) the amount of water the Ford City Mall has used, (ii) the amount of water the Ford City Condominium has used, and (iii) the price for water the City of Chicago has charged the Ford City Mall. Ford City Realty is waiting for a response as to whether the Subchapter V Trustee requires any additional information or documentation. While Ford City Realty is hopeful the parties can reach agreement, Ford City Realty files this Response. Ford City Realty stands prepared to produce the Invoices for the Court's review and produce such other evidence substantiating the Claim as the Court and/or Subchapter V Trustee may request.

Factual Background

1. Ford City Condominium Association (the “**Debtor**”) is the association for a condominium complex in Chicago, Illinois (the “**Ford City Condominium**”). Ford City Realty, as tenants-in-common, own and operate the Ford City Mall, which is a shopping center located on a parcel of land contiguous with the Ford City Condominium. Ford City Realty and the Debtor are parties to an agreement (attached as Exhibit A to the Administrative Claim Motion (defined below)) that, among other things, addresses the way water is made available to the Ford City Condominium.

2. In short, Ford City Realty obtains water from the City of Chicago on behalf of the Ford City Condominium and then charges the Debtor the costs of such water. Neither the Debtor nor the Ford City Condominium have a direct hook up to the City of Chicago water system. The only way the Ford City Condominium and its residents obtain running water is through the Agreement with Ford City Realty. The Ford City Mall maintains a separate water meter that tracks

the amount of water the Ford City Condominium uses, and invoices from the Ford City Mall to the Ford City Condominium are handled by a third-party servicer.

3. As of the Petition Date, the Debtor owed Ford City Realty no less than \$1,399,635.48 on account of unpaid water. On July 29, 2021, Ford City Realty filed proof of claim number 4-1 (the “**Claim**”) in the amount of \$1,399,635.48 for “Amounts owed for water supplied to Debtor.”

4. Since the Petition Date, additional amounts have become due and owing on account of water provided after the Petition Date after accounting for any post-petition payments made by the Debtor. Ford City Realty undeniably holds an administrative claim.

5. On February 27, 2024, Ford City Realty filed its *Motion for Allowance and Payment of Administrative Claim* [Docket No. 286] (the “**Administrative Claim Motion**”), seeking entry of an order providing for the allowance of an administrative claim for Ford City Realty on account of water provided after the Petition Date. On May 6, 2024, the Court granted the Administrative Claim Motion in part by requiring the Debtor to pay \$1,500 per month to Ford City Realty for water provided after the Petition Date. *See Interim Water Order Directing Payment for Water Services* [Docket No. 303] (the “**Interim Water Order**”). The Interim Water Order continued the Administrative Claim Motion to a later date, and pursuant to further extensions, the Administrative Claim Motion is currently scheduled to be heard on October 22, 2025.

6. On July 23, 2025, the Subchapter V Trustee filed the Claim Objection, arguing, among other things, that the Subchapter V Trustee has yet to receive documentation substantiating the Claim.

7. On September 29, 2025, counsel to Ford City Realty provided counsel to the Subchapter V Trustee copies of invoices (the “**Invoices**”) from the City of Chicago to the Ford

City Mall and from the Ford City Mall to the Ford City Condominium from 2019 through early 2025 (the “**Relevant Period**”). These Invoices show, among other things, in each case during the Relevant Period, (i) the amount of water the Ford City Mall has used, (ii) the amount of water the Ford City Condominium has used, and (iii) the price for water the City of Chicago has charged the Ford City Mall.

8. Ford City Realty is hopeful the parties will reach an agreement on the amount of the Claim, but files this Response out of an abundance of caution given the October 8, 2025 deadline to respond to the Claim Objection. In the event the parties cannot reach an agreement, Ford City Realty stands prepared to produce the Invoices for the Court’s review and produce such other evidence substantiating the Claim as the Court and/or Subchapter V Trustee may request.

WHEREFORE, Ford City Realty LLC, Ford City CH LLC, and Ford City Nassim LLC respectfully request that the Court overrule the Claim Objection, allow the Claim, and grant such other and further relief as the Court deems just and proper.

Dated: October 21, 2025

Respectfully submitted,

/s/ Peter A. Siddiqui

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